IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT
THE HON'BLE MR JUSTICE B.PRAKASH RAO
WRIT PETITION NO : 16021 of 1995

Between:
1 Kurasam Veeraswamy S/o.Kodeyya
Merakagudem Buttaigudem Mandal
W.G.Dist
2 Kurasam Venkamma W/o. late Oosayya
Merakagudem Buttaigudem Mandal
W.G.Dist
3 Kurasam Venkatesh alias venkateshwarlu S/o. Late Oosayya
Merakagudem Buttaigudem Mandal
W.G.Dist

..... PETITIONERS.

AND

1 Agent to the Government (Dist Collector) West Godavari
District at Eluru.
2 Kurasam Vaddi S/o.Pedamarappa
Merakagudem Buttaigudem Mandal
W.G.District.
3 Kurasam Pedamariyya S/o. Vaddi
Merakagudem Buttaigudem Mandal
W.G.District.
4 Kurasam Chinamariyya S/o. Vaddi
Merakagudem Buttaigudem Mandal
W.G.District.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or any appropriate writ more particularly in the nature of writ of mandamus declaring the action of the 1st respondent in not granting temporary injunction in petitioner's favour in respect of land an extent of Ac.4.20 cents in RS.No.51/1,2,3 and 53/1 and 2 of Merakagudem (V) of Buttaigudem Mandal, W.G.District and dismissing the application for grant of injunction in I.A.No.5/95 in OS.No.14/85, Dt.30/06/95 as illegal, arbitrary and violative of principles of natural justice and for a consequential order directing the 1st respondent to grant temporary injunction in petitioner's favour in respect

of the above said schedule property pending disposal of OS.No.14/85 and to pass such other order.

Counsel for the Petitioners:MR.C.DHANANJEYA

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for the Respondent Nos.2 to 4: None appeard.

The Court made the following :

ORDER:

Heard Sri C.Dhananjeya, the learned counsel appearing for the petitioners and the learned Government Pleader for Revenue (General) appearing on behalf of the first respondent.

The petitioners herein, claiming to be the purchasers of the land in question under the registered sale deed dated 12.10.1970, filed this writ petition seeking for a writ of Mandamus as against the action of the first respondent an Agent to the Government in dismissing the application seeking for an injunction pending the suit as per the orders in I.A.No.5 of 1995 in O.S.No.14 of 1985 dated 30.06.1985.

Though several contentions have been urged across the Bar, the fact remains that having filed the suit and the same is still pending on the file of the first respondent, this Court already granted interim injunction in W.P.M.P.No.19550 of 1995, dated 12.09.1995 and the same is still subsisting. Having regard to the same, it is not necessary to go into the merits of the case.

The writ petition is disposed of directing the first respondent to dispose of the above suit within a period of six months from the date of receipt of a copy of this order. It is needless to mention that the interim injunction as granted by this court would continue till the disposal of the suit.

B. PRAKASH RAO, J

17th February 2005.
Chvn.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER.

To

1 Agent to the Government (Dist Collector) West Godavari District at Eluru.
2. Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).
3 Two C.D. copies.